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News release from the Human Rights Campaign

Student Non-Discrimination Act of 2010 introduced in House by U.S. Rep. Jared Polis

Measure would prohibit discrimination against public school students on the basis of sexual orientation or gender identity

WASHINGTON – The Human Rights Campaign, the nation's largest lesbian, gay, bisexual and transgender (LGBT) civil rights organization, applauded today the introduction of the Student Non-discrimination Act of 2010 (SNDA), H.R. 4530, which would prohibit discrimination against any public school student on the basis of actual or perceived sexual orientation or gender identity. In addition, the SNDA prevents discrimination against any public school student because of the actual or perceived sexual orientation or gender identity of a person with whom that the student associates or has associated. The bi-partisan SNDA was introduced by Congressman Jared Polis (D-CO) and has 60 co-sponsors.

"Hatred has no place in the classroom," said Congressman Polis. "Every student has the right to an education free from harassment and violence. This bill will protect the individual freedoms of our students and enshrine the values of equality and opportunity in our classrooms."

Discrimination based on sexual orientation and gender identity contributes to high rates of absenteeism, dropout, adverse health consequences, and academic under achievement among LGBT youth. When left unchecked, such discrimination can lead, and has led to, life-threatening violence and suicide.

"Our public schools are mandated to support all students in their pursuit of academic

achievement and social stability. LGBT students have historically been alienated, harassed, and bullied in their schools, with little or no intervention from school personnel. And far too many have underperformed or 'dropped out' in response to the lack of safety and support," said Human Rights Campaign President Joe Solmonese. "No student should have to be fearful when walking through the doors of their school, and this legislation would require immediate and appropriate action to stop the discrimination that our youth have endured for far too long."

Federal statutory and/or constitutional protections expressly address discrimination on the basis of race, color, national origin, religion, sex and disability, but do not expressly address sexual orientation or gender identity. As a result, students and parents have limited legal recourse to redress for discrimination on the basis of sexual orientation or gender identity.

The SNDA is closely modeled after title IX of the Education Amendments of 1972 (20 U.S.C. §§ 1681-1688), which prohibits discrimination on the basis of sex and provides legal recourse to redress such discrimination.

The SNDA is has broad support from over 15 civil rights and education organizations, including: The American Association of University Women, American Civil Liberties Union, American Counseling Association, Gay-Straight Alliance Network, GLAD (Gay & Lesbian Advocates & Defenders), GLSEN (Gay, Lesbian and Straight Education Network), Human Rights Campaign, Lambda Legal, National Association of School Psychologists, National Association of Secondary School Principals, National Center for Lesbian Rights, National Center for Transgender Equality, National Gay and Lesbian Task Force Action Fund, National Women's Law Center, School Social Work Association of America, and Transgender Law Center.

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